



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Reissue Application Of: 5,834,590

Aaron I. VINIK, *et al.*

Serial No.: 09/709,585

Filed: November 13, 2000

BOX: MISSING PARTS

Attorney Docket No. 05126.00002

Group Art Unit: TBA

Examiner: TBA

For: INGAP PROTEIN INVOLVED IN PANCREATIC ISLET NEOGENESIS

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATIONAssistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b), dated January 12, 2001, Applicants submit herewith authorization to charge the statutory basic filing fee of \$355.00, the missing parts surcharge of \$65.00, the additional claim fee of \$152.00, the one-month extension of time fee of \$55.00, a copy of the Notice to File Missing Parts of Nonprovisional Application, the executed Declaration/Power of Attorney with Lawrence Rosenberg and Jean T.S. Duguid's signatures. The period for responding to the Notice to File Missing Parts of Nonprovisional Application expired March 12, 2001, and thus the one-month extension of time fee has been added. The fees are calculated as follows:

Basic Filing Fee	\$355.00
Total Claims = 28	
In Excess of 20 = 8 x 9.00	\$72.00
Independent Claims = 5	
In Excess of 3 = 2 x 40.00	\$80.00
Surcharge for submitting the filing fee and Declaration subsequent to the filing date	\$65.00
One-Month Extension of Time Fee	\$55.00
Total Fees	\$627.00

04/11/2001 YPOLITE1 0000061 190733 09709585
05 FC:215 55.00 CH

Aaron I. VINIK, et al.
U.S. Patent Application Serial No. 09/709,585

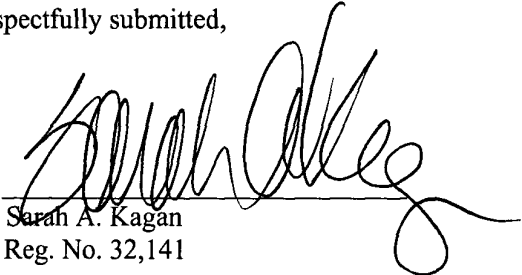
It is believed that all Patent and Trademark Office requirements have now been fully met and it is respectfully requested that the above-identified patent application be forwarded for examination.

Also filed herewith are the Assent of Assignee, McGill University, and the Statement Under 37 CFR §3.73 for the same.

Please charge any additional fee, which may be associated with the filing of this paper to our Deposit Account No. 19-0733.

Respectfully submitted,

By:


Sarah A. Kagan
Reg. No. 32,141

BANNER & WITCOFF, LTD.
Eleventh Floor
1001 G Street, N.W.
Washington, D.C. 20001
(202) 508-9100

Dated: 04-10-01

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JAN 18 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

BANNER & WITCOFF LTD.

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/709,585	11/13/2000	Aaron I. Vinik	05126.00002

 22907
 BANNER & WITCOFF
 1001 G STREET N W
 SUITE 1100
 WASHINGTON, DC 20001

FORMALITIES LETTER



OC000000005674538

Date Mailed: 01/12/2001

NOTICE TO FILE MISSING PARTS OF REISSUE APPLICATION

Filing Date Granted

An application number and filing date have been accorded to this reissue application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$152.
 - \$72 for 8 total claims over 20.
 - \$80 for 2 independent claims over 3.
- The signature of the following inventor(s) is missing from the oath or declaration:
Lawrence Rosenberg Mrs. Jean T.S. Duguid
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

- The balance due by applicant is \$ 637.

Adjustment date: 07/20/2001 ETULU1
 07/20/2001 HVDN061 00000000 190733 09709585
 02 FC:209 80.00 CH
 03 FC:210 72.00 CR

A copy of this notice MUST be returned with the reply.D King
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

05/01/2001 HVDN061 00000000 190733 09709585

01 FC:208 355.00 CH
 02 FC:209 80.00 CH
 03 FC:210 72.00 CH

file://C:\APPS\PreExam\correspondence\2_B.xml

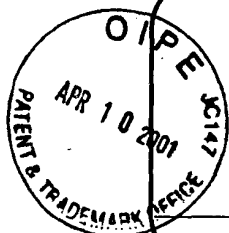
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 02 FC:202 80.00 CH
 03 FC:203 72.00 CH
 04 FC:205 65.00 CH

05/01/2001 HVDN061 00000000 190733 09709585

01 FC:201 355.00 CH
 02 FC:202 80.00 CH
 03 FC:203 72.00 CH

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 627

Complete if Known

Application Number	09/709,585
Filing Date	November 13, 2000
First Named Inventor	Aaron I. VINIK, et al.
Examiner Name	TBA
Group / Art Unit	TBA
Attorney Docket No.	05126.00002

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, LTD

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 355)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
28	-20** = 8	X 9 = 72	
Independent Claims	2	-3** = 0	X 40 = 80
Multiple Dependent		X	= 152

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$152)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

Large Fee Code	Entity (\$)	Small Fee Code	Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 120)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Sarah A. Kegan	Registration No./Attorney/Agent)	32,141	Telephone	202-508-9100
Signature				Date	April 10, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.